

REMARKS

The comments of the applicant below are each preceded by related comments of the examiner (in small, bold type).

The following phrases are considered vague and indefinite:

claim 1 / line 6: the phrase "in connection with" (Also found at 2 / 2, 2 / 6, 6 / 2, and 6 / 6)

1 / 7: the phrase "who are subject to" (Also found at 2 / 7)

3 / 1: the phrase "the identifying" (The phrase also lacks antecedent basis, and can be found again at?! 1)

3 / 3: the phrase "the customers" lacks antecedent basis.

4 / 2: the phrase "of potency or (Due to the amendment removing "the", and can be found again at 8/2)

5 / 2: the phrase "are tied to" (Can be found again at 9 / 2)

The amendments have been made.

3. Claims 1-9 are deemed allowable over the prior art at this time, pending resolution of any rejections noted above, because the prior art does not specifically disclose combining the generation of ranked performance predictor attributes with marketing communications to be made to distinguished segments of customers.

The applicant acknowledges that the claims are patentable. The applicant does not concede that there are not other good reasons for the patentability of these and other claims.

All of the dependent claims are patentable for at least similar reasons as those for the claims on which they depend are patentable.

Any circumstance in which the applicant has (a) addressed certain comments of the examiner does not mean that the applicant concedes other comments of the examiner, (b) made arguments for the patentability of some claims does not mean that there are not other good reasons for patentability of those claims and other claims, or (c) amended or canceled a claim does not mean that the applicant concedes any of the examiner's positions with respect to that claim or other claims.

Applicant : Stephen K. Pinto et al.
Serial No. : 10/826,453
Filed : April 16, 2004
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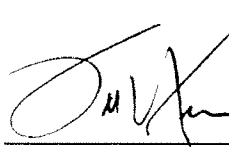
Attorney's Docket No.: 17146-009001

Enclosed is a Petition for Two Month Extension of Time. The fees in the amount of \$230 are being paid concurrently on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other required fees to deposit account 06-1050, referencing the attorney docket number shown above.

Date: _____

4/21/04

Respectfully submitted,



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